

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

RON L. BEAULIEU & CO., INC. AND RON L.
BEAULIEU, INDIVIDUALLY, TRI-COUNTY
COMMUNITY ACTION PROGRAM, INC. AS
ASSIGNEE OF RON L. BEAULIEU & CO., INC. AND
RON L. BEAULIEU, INDIVIDUALLY,

Plaintiffs,

Docket No.

v.

PHILADELPHIA INSURANCE COMPANY,
PHILADELPHIA INDEMNITY INSURANCE
COMPANY AND PHILADELPHIA
CONSOLIDATED HOLDING CORP.,

Defendants.

NOTICE TO REMOVE FROM STATE COURT

Philadelphia Insurance Company, Philadelphia Indemnity Insurance Company and Philadelphia Consolidated Holding, Corp., (collectively “Defendants”) hereby remove this matter from Coos County Superior Court (Docket No.: 214-2017-cv-65) to the United States District Court for the District of New Hampshire pursuant to 28 U.S.C. § 1441 (a, b) (Diversity of Citizenship 28 U.S.C. § 1332) and 28 U.S.C. § 1446 (procedure for removal) and say:

1. Plaintiff commenced a state court action entitled Ron L. Beaulieu & Co., Inc., et al v Philadelphia Insurance Company, et al., Coos County Superior Court Docket No.: 214-2017-cv-65, dated June 26, 2017. A true and correct copy of the state court complaint is attached hereto as Exhibit A.

2. This civil action is removable under 28 U.S.C. § 1441 (a) which provides, in pertinent part, "...any civil action brought in a state court of which the district courts of the United States have original jurisdiction, may be removed..."

3. This is an action by a New Hampshire plaintiff against out of state defendants, with the amount in controversy likely to exceed \$75,000. 28 U.S.C. § 1332 (a), (c).

4. The United States District Court for the District of New Hampshire has proper subject matter jurisdiction and venue over this action. See 28 U.S.C. § 1441 (a).

5. The time for removal of this action has not expired.

6. A copy of this notice of removal is being sent to plaintiffs and the Coos County Superior Court. See Exhibits B and C.

7. A Civil Coversheet is filed herewith.

Respectfully submitted,

Philadelphia Insurance Company, Philadelphia
Indemnity Insurance Company and Philadelphia
Consolidated Holding Corp.

MORRISON MAHONEY LLP

August 15, 2017

/s/ Linda M. Smith

Edwin F. Landers, Jr., #17297
elanders@morrisonmahoney.com
Linda M. Smith, #265038
lsmith@morrisonmahoney.com
1001 Elm Street, Suite 304
Manchester, NH 03101
Phone: 603-622-3400
Fax: 603-622-3466

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following persons on this date in the manner specified herein:

Andrew D. Dunn, Esq.
adunn@devinemillimet.com
Devine Millimet & Branch
111 Amherst Street
PO Box 719
Manchester, NH 03105-0719

/s/ Linda M. Smith

Linda M. Smith, #265038